

**AN ORDINANCE BY
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF
THE CITY OF ATLANTA, GEORGIA, CHAPTER 162, DIVISION
1, ARTICLE II, SECTION 162-33, ENTITLED SCHEDULE OF
FEES, SO AS TO PROVIDE FOR PAYMENT OF FEES BY
CERTIFIED FUNDS; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta has an interest in maintaining the health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, pursuant to its police powers the City of Atlanta is authorized to enact legislation to regulate certain businesses and industries which could potentially affect the public health, safety, and welfare including those businesses which relate to Vehicles for Hire; and

WHEREAS, City of Atlanta Code of Ordinances § 162-27 sets forth that Chapter 162, Article II shall apply to all vehicles for hire for which a permit has been issued; and

WHEREAS, there have been instances in which various licenses and permits associated with vehicles for hire have been issued or renewed, and the licensee or permitted entity proceeded to operate despite the fact that the check with which the fees were paid failed to clear ; and

WHEREAS, it is therefore the desire of the City of Atlanta that the City require vehicle for hire fees to be paid for by certified or cashier's check in order to assure prompt payment and prompt identification of those who have failed to pay for their vehicles for hire licenses or permits.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY
ORDAINS, as follows:**

Section 1: That Chapter 162, Article II, Division 1, Section 162-27, of the City of Atlanta Code of Ordinances which reads:

Sec. 162-27. Applicability of article.

This article shall apply to all vehicles for hire for which a permit has been issued under this article, whether or not such vehicle is operated exclusively within the geographical legal limits of the city, as well as to vehicles for hire which operate in and out of the geographical legal limits of the city to locations not more than ten miles from the geographical legal

limits of the city, including any airport owned and operated by the city, whether located within or outside Fulton County or the city.

be amended such as Chapter 162, Article II, Division 1, Section 162-27, of the City of Atlanta Code of Ordinances shall read as follows:

Sec. 162-33. Applicability of article; payment of fees.

(a) This article shall apply to all vehicles for hire for which a permit has been issued under this article, whether or not such vehicle is operated exclusively within the geographical legal limits of the city, as well as to vehicles for hire which operate in and out of the geographical legal limits of the city to locations not more than ten miles from the geographical legal limits of the city, including any airport owned and operated by the city, whether located within or outside Fulton County or the city.

(b) all fees proscribed in this article must be paid for by money order, certified check or cashier's check.

Section 2: This ordinance shall take effect immediately upon adoption.

Section 3: Should it be found that any ordinance or parts of any ordinance are in conflict herewith, then those sections contained herein shall be deemed controlling.

**LEGISLATIVE COUNSEL
REQUEST FOR LEGISLATION**

For Legislative Counsel Use Only

_____ Date Received _____ Complete _____ Incomplete (Date returned: _____)

_____ Date of Department Consultation _____ Date of Finance Department Consultation

Commissioner Notified: ____ Yes ____ No If No, Why? _____

Legislation Required

____ Yes ____ No

Legislation Type

____ Resolution ____ Ordinance

Amends the Code

____ Yes ____ No

Blueback Prepared

____ Yes ____ No

Commissioner Signature _____

Council Members Only:

Authority to speak to Subject Matter Attorney ____ Yes ____ No

Authority to speak to Department ____ Yes ____ No

Date Submitted: 1 APR 09

Department Submitting Request: Police

Person Submitting Request: K Braunsroth Extension: 404.853.4266

Bureau/Division Manager: Director M. S. Hull Extension: _____
404-658-7600

Requesting preliminary meeting with Legislative Counsel attorney? ☒ Yes ☐ No

Subject Matter of the Meeting Restricting Forms of Payment

Cycle Number/Requested Full Council Date (not earlier than 4 weeks from date of submission): 8

If this must be submitted to Council in fewer than 4 weeks explain why. Please identify consequences if legislation is not submitted for requested cycle. Also, if applicable, please state why the Legislative Request Form was submitted after the Cycle deadline. All non-conforming requests must have Commissioner approval.

**LEGISLATIVE COUNSEL
REQUEST FOR LEGISLATION**

Part I: Legislative Request Form:

Instructions: Please answer all questions fully before submitting. Attach additional pages if necessary. All requests for legislation must have approval of a manager prior to submission. All incomplete requests will be returned. Send request via electronic mail to Legislative Counsel. No hard copies will be accepted. Please refer to attached deadlines for the relevant Chief of Staff submission guidelines.

1. Legislation Name/Project Name: Restricting Forms of Payment

2. What is the purpose of this legislation? (check one)

- ☐ Accept a grant or donation
- ☐ Amend budget
- ☒ Amend Code of Ordinances
- ☐ Amend Contract
- ☐ Anticipate funds
- ☐ Appropriate funds
- ☐ Apply for a grant or donation
- ☐ Authorize/renew Contract
- ☐ Fines/penalties
- ☐ Human Resources related
- ☐ Make a purchase
- ☐ New project
- ☐ Procuring goods
- ☐ Procuring services
- ☐ Other, please explain

☐ Please describe in detail the purpose of your legislation? To restrict the forms of payment, for vehicle for hire services, to money orders, cashier checks, and certified funds.

☐ If this legislation is to award/amend/renew a contract, please provide the following:

Expiration date of contract:

Contract Term (months/yr):

3. Please describe why legislation is required rather than administrative action by the Department (please cite any relevant code sections or internal policies).

Council action is required to amend the Atlanta City Codes.

4. If there is an existing process, will this legislation impact that process? How? Yes. It will restrict the forms of payment to money orders, cashier checks, and certified funds.

**LEGISLATIVE COUNSEL
REQUEST FOR LEGISLATION**

5. Please explain and estimate any financial impact on the City or your Department.

☐ Will the City need to appropriate or transfer funds to accomplish this purpose?

No.

☐ Has this purpose already been set forth in the budget?

No..

☐ Will there be a fee or charge assessed by the City? No.

o If so, how much? N/A.

o How was the fee or charge determined? N/A

☐ What FAC #'s are needed for this legislation? Also, please provide the associated amounts.

FAC applied for

☐ Is a grant required for this legislation? ☐ Yes ☒ No

If so, is a matching grant required? ☐ Yes ☒ No

☐ Will there be an increase or decrease in personnel? No.

o Has HR been made aware of the need for personnel changes? ☐ Yes ☒ No

If so, who is the contact person? N/A at extension

o Will positions be created or abolished? No.

☐ Will additional resources be required to achieve this purpose? Nothing else is required.

o If yes, what are those resources?

o Has the Department estimated the cost of those resources?

☐ Will revenue be generated for the City? No.

6. If there has been previous or similar legislation, please describe and cite the relevant legislation (e.g., 04-R-0001). Atlanta City Codes 162-33 outlines the schedule of fees..

7. Is this a computer/technology purchase? ☐ Yes ☒ No

If so, please forward ISR (Information System Hardware/Software Request) along with a copy of this Legislative Request Form via inter-office mail to: Legislative Counsel, Suite 4100, Law Department.

Please forward any additional pertinent or supporting documents (e.g. contracts, exhibits, requisitions, copies of any old ordinances/resolutions pertaining to this issue, etc.) along with a copy of this Legislative Request Form and legislative white paper via email to legislative_counsel or via inter-office mail to: Legislative Counsel, Suite 4100, Law Department.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to allow for the Atlanta Police Department to restrict the forms of payment, for vehicle for hire services, to money orders, cashier's checks, and certified funds.

2. Please provide background information regarding this legislation. The city has received a large number of personal checks with non-sufficient funds (NSF). A good portion of those personal checks were written to the Division of Taxicabs and Vehicles for Hire. Restricting payments to certified funds will ensure the city receives its expected revenues, and remove the burdensome process of trying to collect on NSF checks.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

3. If Applicable/Known:

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc): N/A

(b) Source Selection: N/A

(c) Bids/Proposals Due: M/A

(d) Invitations Issued: N/A

(e) Number of Bids: N/A

(f) Proposals Received: N/A

(g) Bidders/Proponents: N/A

(h) Term of Contract: N/A

4. Fund Account Center:

5. Source of Funds: *Example: Local Assistance Grant* N/A

6. Fiscal Impact:

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: N/A

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: M. Hull

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Investigator Kurt Braunsroth

Contact Number: (404) 853-4266

Originating Department: Department of Police

Committee(s) of Purview: Public Safety and Legal Administration

Council Deadline: 12 May 2009

Anticipated Committee Meeting Date(s): 26-27 May 2009

Anticipated Full Council Date: 1 June 2009

Commissioner Signature: D/C George W. Turner

Chief Procurement Officer Signature: _____

CAPTION

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1, ARTICLE II, SECTION 162-33, ENTITLED SCHEDULE OF
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FINANCIAL IMPACT (if any)

Mayor's Staff Only _____

Received by CPO: _____ Received by LC from CPO: _____

Received by Mayor's Office: [Signature] (date) 5/12/09 Reviewed by: [Signature] (date)

Submitted to Council: _____ (date)